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SUBJECT: THIS JUST IN: SERBIA OPPOSES KOSOVO INDEPENDENCE

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11. (SBU) Summary: In a March 11 Security Council public meeting, Serbian FM Jeremic criticized Kosovo's declaration of independence (DI) as an assault on the international system, asking countries who had recognized Kosovo to reconsider and encouraging those who had not to hold off. He condemned attacks against foreign embassies in Belgrade on February 21, but also criticized the EU's rule of law mission and the International Steering Group (ISG) as unacceptable unless expressly endorsed by the Security Council. On the positive side, he said Serbia would not impose a trade embargo on Kosovo and said that Serbia sees its place in Europe. He said May elections will be a critical event for Serbia, as he hoped the May elections would demonstrate even as they demonstrated that Serbia is united in opposition to Kosovo independence. In closed consultations, Russian Permrep Churkin said attempts at "reformatting" UNMIK would violate UNSCR 1244 as would the deployment of the EU's rule of law mission. Churkin complained that the EU's Yves de Kermabon had told the press that he was in New York this week to coordinate deployment of the EU mission with the UN, alleging that such coordination would be unlawful. Churkin tabled a draft presidential statement (PRST) calling for continued dialogue between all parties. Ambassador Khalilzad said Russia's PRST could not be a basis for Council discussion as it ignores changed circumstances in Kosovo and underscored that the Council should help Kosovo implement the Ahtisaari plan and facilitate the development of neighborly relations with Serbia. End Summary.

Jeremic: May Elections Will Be A Turning Point For Serbia

12. (SBU) On March 11, the Security Council held a public meeting at the request of Russia and Serbia to discuss the post-DI situation in Kosovo. Reading from a prepared statement in English that seemed aimed at striking a moderate tone overall, Serbian FM Jeremic said that the Council was once again gathered "to discuss troubling developments in Serbia's southern province of Kosovo and Metohija." Jeremic labeled the Kosovo PISG's February 17 DI an assault on the "innate operating logic of the international system" and called on countries that have recognized Kosovo to reconsider and those that have not to hold off for the time being. He said that "understandably the public reaction in Belgrade to Pristina's DI has been clear and loud," but called February 21 attacks on foreign embassies "deplorable." He warned Serbia will not accept an imposed outcome and will "continue to return to the Security Council and other bodies." (Note:

He made no direct reference to a possible ICJ referral. End note.) He asserted that Serbia takes the rights of Albanians seriously, including giving them "substantial self-governance under Serbian sovereignty" and also will not impose an embargo on Kosovo or use force. However, he said that Serbs of Kosovo will not remain relegated to "a fearful life of ghettoized isolation." He criticized the EU rule of law mission and ISG as based on a plan not accepted by the Security Council. He said Serbia would welcome the presence of the EU in Kosovo, but only with the endorsement of the Security Council.

13. (SBU) Jeremic promoted President Tadic's statement of a few days earlier that Serbia is willing to sign a Stabilization and Association Agreement (SAA) with the EU -- which, he said a majority of Serbs support -- declaring that Serbia's place is in Europe and extolling the benefits of a European future. He continued that Serbia is ready for meetings with UNMIK on issues such as the status of Kosovo Serbs, the status of the Serbian Orthodox Church, customs points and the status of Serb judges and police. Jeremic concluded that Serbia's May elections will be a critical event as Serbia considered its possible future in Europe notwithstanding that Serbia was united in claiming Kosovo for itself.

Russia: Opposes UNMIK "Reformatting" As Unlawful

14. (SBU) Russian Permrep Churkin said Russia will continue to recognize Serbia within its internationally-recognized borders. Reminding all that SYG Ban confirmed in a February 17 Council meeting that UNSCR 1244 remains valid, Churkin said the current international presences should remain in place. He said any attempts at "reformatting" UNMIK would be unlawful and that deployment of the EU's rule of law mission, without approval of the Security Council, is not line with

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1244. He complained that the EU's Yves de Kermabon had told the press that he had been in New York this week to coordinate deployment of the EU mission, asserting that attempts to involve the UN in the EU's work would also be unlawful. Churkin said that there had already been "a flow of refugees" and that de facto partition would be the fault of Albanians. Churkin also tabled a draft PRST (faxed to Department) calling for continued dialogue between all parties in accordance with Russia's proposed roadmap. Churkin said later in rebuttal that there cannot be any "new reality" until 1244 is voided by the Security Council, calling any such discussion a "distorted, 'Matrix' reality."

Vietnam, China, Indonesia and South Africa Support Russia

15. (SBU) Vietnamese Permrep Minh called Kosovo's DI a violation of international law, the UN charter and 1244 and expressed concern regarding the situation on the ground. He supported the Russian PRST. Chinese Permrep Wang said the Council should bear in mind that respect for territorial integrity is an important part of the UN charter. Wang supported a continuation of talks and welcomed Russia's PRST. Indonesian Permrep Natalegawa urged the Security Council to engage on Kosovo, exercising leadership and continuing to promote dialogue and to consider the Russian PRST.

16. (SBU) South African Pemrep Kumalo opined that it is not too late to negotiate. He asked that the Secretariat hold a briefing for "troop contributing countries to UNMIK," saying that South Africa has received questions from countries wanting clarity on what will happen to their personnel. (Note: USUN Deputy Polcounselor asked the Russian Presidency whether there is a precedent for a TCC briefing on Kosovo since KFOR's presence is unique. Churkin replied that South Africa's proposal might accommodate non-KFOR participants in UNMIK and the request could be dealt with in April when the

Council considers the UNMIK report. End note.) Kumalo supported the Russian PRST.

US: Russia's PRST Not A Basis For Discussion

¶17. (SBU) Ambassador Khalilzad stated that Russia's proposed PRST is not a basis for Security Council discussion because it ignores the changed circumstances of Kosovo's DI and recognitions. He said the appropriate goal of the Council should be to assist Kosovo in implementing the Ahtisaari plan that a majority of its members supported and to facilitate the development of neighborly relations with Serbia. Khalilzad said Jeremic's statement had contained some positive elements such as supporting European integration and a commitment to non-violence. He said the upcoming May election would be important for Serbia and hoped Serbia would move toward a European future. Khalilzad agreed with Russia that 1244 remains in effect, but said the EU should begin to take on a greater role under a "fade-in/fade-out" model. He agreed with a few elements of Russia's PRST, including reaffirmation of 1244, a call for nonviolence and continued briefings from UNMIK and KFOR, but said we see no point in having experts discuss the rest since experts could not reconsider decisions made by their respective capitals. (Note: Russia has nevertheless called for an experts' meeting on March 17. End note.)

Croatia, Belgium, UK, France and Italy: Solid Statements

¶18. (SBU) Croatian Permrep Jurica voiced understanding regarding Serbia's sensitivities but said one cannot close one's eyes to the fact that a significant number of countries have recognized Kosovo's independence. He said "Kosovo is a new statehood reality in Southeast Europe and that fact cannot be reversed." He said Croatia had always supported a political settlement, but all options were exhausted and the Ahtisaari plan has become the only viable option.

¶19. (SBU) Belgian Permrep Verbeke said that isolation will not pay for Serbia so the EU will continue to reach out to the country. He praised the response of Ruecker to violence in northern Kosovo. UK Permrep Sawyers said Russia's PRST was unlikely to be supported by the Council as it is based on a view overtaken by events on the ground. Sawyers argued that Jeremic's statement that all of Serbia opposes Kosovo independence inadvertently demonstrated that the GOS doesn't

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really consider Albanians to be citizens of Serbia. French Permrep Ripert voiced appreciation for UNMIK and NATO's responses to attacks in northern Kosovo. He said there is a new reality that the international community must take into account and the EU's deployment of its rule of law mission is in full accordance with 1244. .

Libya, Burkina Faso, Costa Rica and Panama

¶10. (SBU) Libyan Permrep Attalhi said Libya understands Serbia's stance on its sovereignty and territorial integrity but also understands the aspirations of the Kosovars and "what led them to the current situation." Attalhi said that, despite some incidents, the status quo in Kosovo is satisfactory. Libya would study Russia's PRST.

¶11. (SBU) Burkina Faso's Pemrep expressed regret for the lack of an agreed solution and said he would continue to follow the situation in Kosovo. Burkina Faso would also study Russia's PRST. Costa Rica expressed appreciation for the PRST. Panamanian Permrep Arias said the chances are remote that Russia's PRST would be adopted.

